

## **1810.09 Hazardous Waste Management Facility Closure and Post-Closure Requirements**

Issued January 1, 1994

**SUBJECT:** Hazardous Waste Management Facility Closure and Post-Closure Requirements.

**APPLICATION:** Executive Branch Departments and Sub-units which conduct, manage, maintain or operate a hazardous waste treatment, storage or disposal facility.

**PURPOSE:** To assure the proper operation of hazardous waste treatment, storage or disposal facilities in Michigan.

**CONTACT AGENCY:** Department of Natural Resources (DNR) - Waste Management, Hazardous Waste Permits Unit.

**TELEPHONE:** 517/373-7924 or 517/373-9875

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**SUMMARY:** Executive Branch Departments and Sub-units which conduct, manage, maintain, or operate a hazardous waste treatment, storage or disposal (TSD) facility must have an approved closure plan.

**APPLICABLE FORMS:** Applications for hazardous waste facility construction permits or operating licenses can be obtained from the DNR, Waste Management Division, Hazardous Waste Permits Section.

### **PROCEDURES:**

#### **Agency:**

- Telephones the Hazardous Waste Permits Unit to request and obtain technical guidance as to how to proceed with the facility's closure or post-closure plan that is a required part of a construction permit or operating license application. Closure and post-closure plans also are required for interim status facilities.
- Schedules a meeting with appropriate Unit staff to receive detailed technical and regulatory guidance as to how to proceed with closure and post-closure. Existing unlicensed treatment, storage, and disposal (TSD) facilities, that have yet to be issued an operating license by the director, are interim status facilities and must be operated in compliance with Act 64 and its administrative rules. The rules require compliance with the standards of 40 CFR part 265, which includes Subpart G on Closure and Post-Closure. Written closure and post-closure plans are required. If the facility in question cannot be clean closed by meeting local background standards or Public Act 307, of 1982, Type B criteria, the facility is then subject to the post-closure plan and post-closure permitting.

#### **TSD Facilities:**

- Existing licensed TSD facilities, that have been issued an operating license by the director, must operate in compliance with Act 64 and its administrative rules and stipulations set forth in the current license, until a revised operating license is issued by the DNR director, or the facility is certified closed by the director. The operating license must contain an approved closure plan, including provision for post-closure should the facility be unable to clean close by meeting local background standards or the Act 307 Type B criteria.
  - Act 64 Administrative Rules:
  - Interim Status Facilities - R 299.9601(3) which references RCRA 40 CFR 265.

- Construction Permit Applications - R 299.9504(1)(c) which references RCRA 40 CFR 270.14(b) and (c). 40 CFR 270.14(b)(13) requires a closure and post closure plan.
- Operating License Applications - R 299.9508(1)(b) which requires all the information needed for a constructions permit pursuant to R 299.9504.
- Operating License Issued - R 299.9613 which lists requirements for closure and post closure of a TSD.
- Proposed to be constructed must obtain a construction permit from the director and, after construction but before operation, must obtain an operating license from the director. The construction permit must contain an approved closure and post-closure plan.

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